

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, endrin, which was unsafe within the meaning of 408(a) since no tolerance or exemption for such pesticide chemical on parsley had been prescribed by regulations.

DISPOSITION: 2-4-64. Default—destruction.

30063. Hot chili mix. (F.D.C. No. 49412. S. No. 28-286 X.)

QUANTITY: 25 cases, each containing 12 1-pt. jars, at Kansas City, Mo.

SHIPPED: 9-6-63, from Rosemead, Calif., by La Victoria Foods, Inc.

LABEL IN PART: (Jar) "La Victoria Brand Hot Chili Mix * * * Packed by La Victoria Foods, Inc., Rosemead, Calif."

LIBELED: On or about 10-10-63, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insects and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 12-5-63. Default—destruction.

30064. Sweet pickles and cucumbers. (F.D.C. No. 50716. S. Nos. 68-075/76 A, 68-078 A.)

QUANTITY: 145 gals. of sweet pickles; 130 bushels of cucumbers in unlabeled salting tank No. 40; and 150 bushels of cucumbers in unlabeled salting tank No. 32; at Minneapolis, Minn., in possession of Pa-Wray Pickle Co., Inc.

SHIPPED: Between 1-1-63 and 8-30-63, from Wautoma, Wis.

RESULTS OF INVESTIGATION: The articles had been shipped as fresh cucumbers and had been placed in brine and processed by the dealer.

LIBELED: 10-9-64, Dist. Minn.

CHARGE: 402(a)(3)—contained insects, maggots, and insect fragments; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 11-20-64. Consent—claimed by Pa-Wray Pickle Co. The sweet pickles were destroyed; the other articles were reconditioned and segregated; 13 bushels of cucumbers were destroyed.

30065. Sweet mixed pickles and sweet pickle chips. (F.D.C. No. 49694. S. Nos. 31-411 X, 31-423 X.)

INFORMATION FILED: 4-30-64, against David Neiman, t/a Finer Made Pickle Co., Los Angeles, Calif.

ALLEGED VIOLATIONS: Between 5-20-63 and 6-6-63, adulterated sweet mixed pickles were shipped to Las Vegas, Nev., from Los Angeles, Calif. On 1-24-62, the defendant gave to a firm engaged in the business of shipping various foods, including pickle products, in interstate commerce, a guaranty that all merchandise sold and delivered to such firm by the defendant was not adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act. On 8-5-63, the defendant caused a number of jars of sweet pickle chips which were adulterated to be delivered at Los Angeles, Calif., to the holder of the guaranty.

LABEL IN PART: (Jars) "Finer Made Net Contents 1 gal. Sweet Mixed Pickles Packed By Finer Made Pickle Co. Los Angeles, Calif.," and "Golden Ray SWEET PICKLE CHIPS."

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared, packed, and held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-23-64. \$2,000 fine.